

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Steven Colliver *et al.***

Application No. **10/505,145**

International Filing Date: **February 13, 2003**

Date of Entry into U.S. National Stage: **August 20, 2004**

Examiner: **Not Assigned**

Art Unit: **Not Assigned**

For: **Nutritionally Enhanced Plants**

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 forms. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due with the filing of this paper.

Copies of the listed documents are attached. The present application is a U.S. National Phase Application of International Patent Application PCT/EP03/01465 (filed February 13, 2003). Documents aa, ab, ac and ae were cited in the International Search Report which issued in International Patent Application PCT/EP03/01465.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

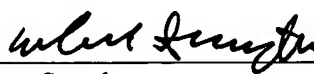
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by

this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: April 8, 2005
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Robert Smyth
Registration No. 50,801

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449				Attorney Docket 056159-5241		Application No. 10/505,145	
				Applicants: Steven Colliver <i>et al.</i>			
				International Filing Date: February 13, 2003		Page 1 of 1 Group Art Unit: Not Assigned	
U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
FOREIGN PATENT DOCUMENTS							
		Document No.	Date	Country	Class	Sub-Class	Translation
	aa	WO 99/14351	03/25/1999	PCT			
	ab	WO 00/44909	08/03/2000	PCT			
	ac	WO 00/53771	09/14/2000	PCT			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	ad	Jung <i>et al.</i>, Identification and expression of isoflavone synthase, the key enzyme for biosynthesis of isoflavones in legumes, Nat. Biotechnol. (2000) 18:208-212					
	ae	Yu <i>et al.</i>, Production of the Isoflavones Genistein and Daidzein in Non-Legume Dicot and Monocot Tissues, Plant Physiol. (2000) 124:781-793					
Examiner				Date Considered			
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							